

## **AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **LISTING OF CLAIMS:**

**Claim 1** (Currently Amended)      A system for managing a like kind exchange, comprising:

a database containing information related to sets of assets wherein the sets of assets comprise relinquished assets and acquired assets:

each of said sets of assets including at least one asset apiece:

a processing engine coupled to said database and being operable to identify a first set of assets eligible for a like kind exchange based on said information;

said processing engine being further operable to identify a second set of assets eligible for combination with said first set of assets to produce a like kind exchange combination wherein the first set of assets comprises relinquished assets and the second set of assets comprises acquired assets; and

a set of parameters specifying criteria for use by said processing engine to produce particular like kind exchange combinations;

wherein the like kind exchange combinations provide a transfer of a tax basis associated with the relinquished assets to the acquired assets.

**Claim 2** (Currently Amended)      A system for managing a like kind exchange, comprising:

a database containing information related to sets of assets wherein the sets of assets comprise relinquished assets and acquired assets:

each of said sets of assets including at least one asset apiece:

a processing engine coupled to said database and being operable to identify a first set of assets eligible for a like kind exchange based on said information;

said processing engine being further operable to identify a second set of assets eligible for combination with said first set of assets to produce a like kind exchange combination wherein the first set of assets comprises relinquished assets and the second set of assets comprises acquired assets;

a set of parameters specifying criteria for use by said processing engine to produce particular like kind exchange combinations; and

a reporting engine coupled to said processing engine and operable to produce reports related to said system;

wherein the like kind exchange combinations provide a transfer of a tax basis associated with the relinquished assets to the acquired assets.

**Claim 3 (Currently Amended)** A system for managing a like kind exchange, comprising:

a database containing information related to sets of assets wherein the sets of assets comprise relinquished assets and acquired assets;

each of said sets of assets including at least one asset apiece;

a processing engine coupled to said database and being operable to identify a first set of assets eligible for a like kind exchange based on said information;

said processing engine being further operable to identify a second set of assets eligible for combination with said first set of assets to produce a like kind exchange combination wherein the first set of assets comprises relinquished assets and the second set of assets comprises acquired assets;

a set of parameters specifying criteria for use by said processing engine to produce particular like kind exchange combinations:

a communication mechanism coupled with said system and effective to permit notification to an entity capable of conducting a like kind exchange about said eligible combination; and

said communication mechanism being further effective to permit information feedback to said system related to at least one like kind exchange executed by said entity;

wherein the like kind exchange combinations provide a transfer of a tax basis associated with the relinquished assets to the acquired assets.

**Claim 4** (Original) A system for managing a like kind exchange according to claim 1, wherein said assets are automotive vehicles.

**Claim 5** (Original) A system for managing a like kind exchange according to claim 3, wherein said entity is a qualified intermediary.

**Claim 6** (Original) A system for managing a like kind exchange according to claim 5, wherein said communication mechanism is an electronic communication medium, whereby said notification can be provided automatically through said electronic communication medium.

**Claim 7** (Canceled)

**Claim 8** (Currently Amended) A system for managing a like kind exchange according to claim 7

1, wherein a combination of said acquired assets and said relinquished assets produce said like kind exchange combination pursuant to a regulatory code.

**Claim 9** (Original) A system for managing a like kind exchange according to claim 3, wherein said communication mechanism is operable to provide instruction details related to said like kind exchange to a financing institution.

**Claim 10** (Original) A system for managing a like kind exchange according to claim 9, wherein said instruction details inform said financing institution on funding for acquired assets and usage of escrow for proceeds from the disposition of relinquished assets.

**Claim 11** (Original) A system for managing a like kind exchange according to claim 9, wherein said communication mechanism is an electronic communication medium, whereby said instruction details can be provided automatically through said electronic communication medium.

**Claim 12** (Original) A system for managing a like kind exchange according to claim 2, further comprising an accounting module operable to track accounting information and reconcile account information.

**Claim 13** (Original) A system for managing a like kind exchange according to claim 12, wherein said accounting module is coupled to said reporting engine and said reporting engine is operable to produce accounting reports.

**Claim 14** (Original) A system for managing a like kind exchange according to claim 2, wherein said reporting engine is further operable to provide information usable for completing at least one of regulatory filings and forms.

**Claim 15** (Original) A system for managing a like kind exchange according to claim 1, wherein said set of parameters include at least one of a time setting, a comparison tolerance setting, an override setting and an asset type setting.

**Claim 16** (Currently Amended) A method for conducting a like kind exchange, comprising:

identifying assets in a database eligible for a like kind exchange wherein the assets comprises relinquished assets and acquired assets:

matching said identified assets to achieve a combination of assets to participate in a like kind exchange wherein the combination of assets comprises relinquished assets and acquired assets;

providing specifics of said matched assets to an entity capable of conducting a like kind exchange; and

receiving from said entity information related to like kind exchanges;

wherein the like kind exchange provides a transfer of a tax basis associated with the relinquished assets to the acquired assets.

**Claim 17** (Original) A method for conducting a like kind exchange according to claim 16, further comprising:

generating a funding instruction file;  
generating a transaction summary file; and  
transmitting said funding instruction file and said transaction summary file to said entity.

**Claim 18 (Original)** A method of conducting a like kind exchange according to claim 17, further comprising communicating with said entity over an electronic medium whereby said files are transmitted electronically.

**Claim 19 (Original)** A method of conducting a like kind exchange according to claim 16, wherein said entity is a qualified intermediary.

**Claim 20 (Original)** A method for conducting a like kind exchange according to claim 16 further comprising:

generating a transaction detail file; and  
transmitting said transaction detail file to a trustee bank.

**Claim 21 (Original)** A method for conducting a like kind exchange according to claim 20, further comprising communicating with said entity over an electronic medium, whereby said files are transmitted electronically.

**Claim 22 (Original)** A method for conducting a like kind exchange according to claim 16, wherein said matched assets include relinquished leased assets and newly acquired assets.

**Claim 23** (Original) A method for conducting a like kind exchange according to claim 16,

further comprising:

- locating specific assets within said database based on parameter settings:

- combining said specific assets to form like kind exchange combinations comprised of relinquished assets and newly acquired assets; and

- performing said like kind exchange based on a value of said parameter settings.

**Claim 24** (Original) A method for conducting a like kind exchange according to claim 23,

wherein said parameter settings include at least one of a time setting, a comparison tolerance setting, an override setting and an asset type setting.

**Claim 25** (Original) A method for conducting a like kind exchange according to claim 23,

wherein said parameter settings can be set by an asset owner.

**Claim 26** (Original) A method for conducting a like kind exchange according to claim 24,

wherein said comparison tolerance setting is in the range of from about 90 to 100 percent of said value of said newly acquired assets.

**Claim 27** (Original) A method for conducting a like kind exchange according to claim 16,

further comprising:

- determining an asset tax basis for a newly acquired asset;

- determining an asset tax basis gain for a relinquished asset; and

- adjusting said tax basis based on said tax basis gain for assets involved in a like kind

exchange.

**Claim 28** (Original) A method for conducting a like kind exchange according to claim 22.

further comprising:

determining an asset tax basis for said newly acquired assets; determining an asset tax basis gain for said relinquished leased assets;

and

adjusting said tax basis based on said tax basis gain for assets involved in a like kind exchange.

**Claim 29** (Original) A method for conducting a like kind exchange according to claim 16,

further comprising:

reconciling transactions on a periodic basis; and

recording a result of said reconciliation.

**Claim 30** (Original) A method for conducting a like kind exchange according to claim 29,

further comprising:

observing discrepancies in said reconciliation result; and

taking appropriate measures to overcome said discrepancies.

**Claim 31** (Currently Amended) A method for conducting a like kind exchange, comprising:

organizing a plurality of datasets for said like kind exchange, at least one of said datasets related to relinquished assets and at least another of said datasets related to acquired assets;



identifying assets in said datasets eligible for said like kind exchange;

informing a qualified intermediary about combinations of relinquished and acquired assets for which said like kind exchange is to be performed;

informing a financing institution about funding acquisition of said acquired assets and retaining proceeds from disposition of said relinquished assets;

processing information in said datasets to provide data to and receive data from said qualified intermediary and said financing institution related to said like kind exchange; and

processing information in said datasets to produce a report related to at least one of said information and said like kind exchange;

wherein said like kind exchange provides a transfer of a tax basis associated with the relinquished assets to the acquired assets.

**Claim 32 (Currently Amended)** A system for managing a like kind exchange, comprising:

a dataset containing information related to sets of assets wherein the sets of assets comprises relinquished assets and acquired assets;

each of said sets of assets including at least one asset apiece;

a processing engine coupled to said dataset and being operable to identify a first set of assets eligible for a like kind exchange based on said information;

said processing engine being further operable to identify a second set of assets eligible for combination with said first set of assets to produce a like kind exchange combination wherein the first set of assets comprises relinquished assets and the second set of assets comprises acquired assets;

a set of parameters specifying criteria for use by said processing engine to produce

particular like kind exchange combinations;

a reporting engine coupled to said processing engine and operable to produce reports sufficient to satisfy regulatory reporting requirements; and

said processing engine being further operable to receive information related to at least one like kind exchange executed by a qualified intermediary;

wherein the at least one like kind exchange provides a transfer of a tax basis associated with the relinquished assets to the acquired assets.

**Claim 33 (Currently Amended)** A method for conducting a like kind exchange, comprising:

organizing a plurality of datasets for said like kind exchange, at least one of said datasets related to relinquished assets and at least another of said datasets related to acquired assets:

identifying assets in said datasets eligible for said like kind exchange based on a set of parameters wherein the assets comprise relinquished assets and acquired assets:

communicating information related to combinations of relinquished and acquired assets for which said like kind exchange is to be performed to a qualified intermediary:

communicating information related to funding acquisition of said acquired assets and retaining proceeds from disposition of said relinquished assets to a financing institution:

processing information in said datasets to provide data to and receive data from said qualified intermediary and said financing institution related to said like kind exchange; and

processing information in said datasets to produce a report related to said like kind exchange;

wherein the like kind exchange provides a transfer of a tax basis associated with the relinquished assets to the acquired assets.

**Claim 34** (Original) A method for conducting a like kind exchange according to claim 33, wherein said communicating is done electronically.

**Claim 35** (Currently Amended) A method for conducting a like kind exchange, comprising:

- organizing a plurality of datasets for said like kind exchange, at least one of said datasets related to relinquished assets and at least another of said datasets related to acquired assets;
- identifying assets in said datasets eligible for said like kind exchange wherein the assets comprise relinquished assets and acquired assets;
- pooling an acquired asset with at least one relinquished asset;
- communicating information related to said pooled assets to a qualified intermediary;
- communicating information related to funding acquisition of said acquired assets and retaining proceeds from disposition of said relinquished assets to a financing institution; and
- processing information in said datasets to provide data to and receive data from said qualified intermediary and said financing institution related to said like kind exchange;

wherein said like kind exchange provides a transfer of a tax basis associated with the relinquished assets to the acquired assets.

**Claim 36** (Original) A method for conducting a like kind exchange according to claim 35, further comprising processing information in said datasets to produce a report, wherein said report is related to regulatory requirements.

**Claim 37** (Currently Amended) A method for conducting a like kind exchange, comprising:

identifying assets in a database eligible for a like kind exchange wherein the assets  
comprise relinquished assets and acquired assets:

matching said identified assets to achieve a combination of assets to participate in a like  
kind exchange wherein the combination of assets comprises relinquished assets and acquired  
assets:

providing specifics of said matched assets to an entity capable of conducting a like kind  
exchange:

receiving from said entity information related to like kind exchanges; and

producing a report that conveys information to a regulatory authority;

wherein the like kind exchange provides a transfer of a tax basis associated with the  
relinquished assets to the acquired assets.